Revenue (1950) Dept

Mr. Lewis

G.O. No. 1655

1655

Dy. S. 6.50

Abbadu

Alienation - land - and Revenue -

(Sankh Kumara) - Hospi Taluk - Hanchally(V)

SNOs 41 & 155/1. A3.3. for school purpose.

In favour of Bankur. Educational Society.

Sanctioned.

REVENUE DEPARTMENT

SUBJECT

Alienation-Land and Revenue (South Kanara) Udipi Taluk-Hanehally Village S.Nos.91 and 155/1A3B-in favour of the Barkur Educational Society-for School purposes -recommended.

Station: Madras. Ref.E.No.2189/50-1 Dated 26/4/50.

From:

Sri A.F.Mascarenhas, I.A.S.
Secretary, Board of Revenue, Madras.

Sri W.R.S.Sattianatnan, I.C.S.,
Commissioner of Land Revenue

Read: Collector of the South Kanara Ref.B3.5141-50 Dated 10-4-50.

REFERENCE:

At the instance of the Collector of South Kanara the Board recommends the alienation of the plots of land comprised in S.Nos.91 and 155/~~x~~ 1A3B,of Hanehally village, Udipi taluk measuring Ac.4.00 and Ac.3.60 in ~~x~~ favour of the President for the time being, The Barkur Educational Society, Barkur, South-Kanara for use as the site for demonstration Farm and garden for the National High School, Barkur.

2. The alienation will be free of charge for the occupancy right and free of assessment subject ~~xxxxxxxxxxxxxx~~ also to the following conditions to which the alienee has agreed:

(1)The land shall be used as the site of a demonstrat farm and a garden for the National High School managed by the Barkur Education Society, and a garden and for no other purposes.

(2) The demonstration farm and garden shall be laid out within a period of two years from the date of the grant.

(3) No building other than that appertaining to the demonstration farm shall be constructed on the land without the previous permission of the Collector of the district.

(4) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land.

(5) The School for the use of which the land is alienated shall be open to members of all communities

(6) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land, the Government may direct the grantee to remove them and if the grantee refuses to remove them when so directed the Government or any officer empowered by them in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

(7) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for public purposes or for conducting mining operations. In the event of such resumption, or in the event of the acquisition of the land for any reasons, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less, and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whicheve may be less together with the initial cost or the value at the time of resumption or acquisition, whichever may be less of any buildings created or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government towards the cost of the buildings or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (3).

(8) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government for the grant of the value of the land at the time of relinquishment whichever may be less.

(9) Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied from the date of the infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final.

The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

(12) The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(13) The alienee shall take the steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

(14) In the event of the infringement of, or failure to observe any of the conditions (10) to (13) the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

Ref.B3.5141-50. S.Kanara Collector's Office,
Mangalore dated 10.4.50.

From

JANAB SYED AHMED,B.Sc(Hons)
Collector of South Kanara.

To

The Secretary to the Board of Revenue,
Land Revenue,
M A D R A S.

Sir,

ALIENATION: Land and reven e--(South Kanara)--Udipi Taluk--Manehally village--S.No.91 and 155-1A3B--for school purposes.

The Government in their order Ms.No.2671 Revenue dated 2.12.46 sanctioned the alienation of S.No.155-1A2 of Manehally village, Udipi Taluk in favour of the Barkur Educational society for use as the site of a High school and play ground. That order was communicated with R.Mis. 1602 dated 14.12.46. The Society now applies for the alienation of the adjoining two plots viz S.Nos.91 and 155-1A3B for use as the site of a demonstration ground and garden as agriculture and gardening have been introduced in the curriculum of the school. The District Educational Officer, South Kanara has recommended the application.

2.S.No.91 which measures 4.00 acres was alienated in 1945 by the Collector in favour of the Panchayat Board Barkur for being used as a site for trenching ground. I have now ordered its resumption with the consent of the Panchayat Board and the proposal to alienate in favour of the Panchayat Board a separate plot for trenching ground is under consideration. S.No.155/1A3B which has been newly formed out of the hill block measures 3.60 acres. Though it forms portion of the grazing ground,the Revenue Divisional Officer who inspected the land reports there is no objection to alienate the land to the school as there are plenty of kumki lands closeby and Government assessed wastes about a mile away which provide ample pasturage to cattle.

2.The two plots measure in all 7.60 acres. The Revenue Divisional Officer reports that pupils from many villages round about come to this school and that the school needs all encouragement. I therefore recommend that the two plots may be alienated in favour of the Barkur Educational society.

3.Notice regarding the proposed alienation was published in the village but no objection was received. There is no improvement or tree growth in both these plots. Though the adjoining land S.No.155-1A2 was valued at Rs.600/- per acre when it was alienated in 1946, the Tahsildar reports that on account of the location of the High school and the consequent demand for roadside plots near about the High school for house sites, the value of land has risen up. The market value of the land is therefore estimated at Rs.2000/- per acre now according to the data given below:

Annual letting value per acre of similar land in the vicinity		80-0-0
Deduct assessment		1-0-0
	Net	79-0-0
Capitalised at 4%		1975-0-0
	Rounded off to	Rs. 2000-0-0

The sub division fee has been collected.

4.As the land is intended for an unremunerative public purpose I recommend that the two plot may be alienated free of occupancy right and free of assessment.

5.The following enclosures are submitted:
i)Copy of the application dated 1 .2.49 of the Manager and correspo the national High school, Barkur.
ii)Sketch of the land
iii)Adangal extract
iv)Copy of conditions notified to the socie

)True translation of the proceedings dated 26.3.50
of the supremem Government body of the Barkur
Educational society.
i)Application for alienation of land.
ii)Application for alienation of land revenue.

(Yours faithfully,

For Collector.

IC/10.4.50.

Revenue Dept

Alienation - Kanara) Nodipi Taluk
Hanehally village S No 91 and 155/1A3B - for school -
Proposed - Sanctioned

No 27872 A/50

Read the following :-

from the Board of Revenue Ref & No 2169/50-3 & 26.4.51

Q.U. No 1655 Read 5-1-51

The Govt sanction the alienation of the plots of land Comprised in S No 91 and 155/1A3B of Hanehally village Nodipi taluk South Kanara Dist measuring Ac 4.00 and Ac 3.60 respectively in favour of the President for the time being, The Barkur Educational Society, Barkur, for use as the site for demonstration farm and garden of the National High school, Barkur.

2. The alien free of Charge for the occupancy right and free of assessment, subject also to the following Conditions

(1) The land shall be used as the site of a demonstration farm and a garden for the National High school managed by the Barkur Educational Society and for no other purposes.

(2) The ~~building~~ demonstration farm and garden shall be laid out within a period of two years from the date of the grant

(3) No building other than cattle appertaining to the demonstration farm shall be constructed on the land without the previous permission of the Collector of the district.

(4) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land.

(5) The school for the use of which the land is alienated shall be open to members of all Communities

(6) The Government may resume the land, wholly or in par with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may hav been executed on the land by the grantee and the grantee shal not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land the Government may direct the grantee t remove them and if the grantee refuses to remove them when so directed the Government or any officer empowered by them in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

(7) The Government may resume the land, wholly or in part with any buildings thereon, if in the opinion of the Government the land is required for a public purpose or for conducting mining operations. In the event of such resumption or in the event of the acquisition of the land for any reason, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, together with the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government towards the cost of the buildings or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (3).

(8) In the event of the voluntary relinquishment of the lan by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government for the grant or the value of the land at the time of relinquishment whichever may be less.

(9) Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of alienation are infringed. In the latter case, the land revenue shall be levied from the date of infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final.

(10) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the District.

(11) The alienee shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

The alienee shall take steps to see that the marks made by the officers of the Government on the sandal-wood trees are preserved and are not tampered with; and

(13) In the event of infringement of or failure to observe any of the conditions (10) to (12) the alienee shall pay to the Government such compensation as is determined by the Collector of the District for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.